

**From:** [Lori Cora](#)  
**To:** [Burkholder Kurt](#)  
**Subject:** Re: GASCO 401  
**Date:** 09/08/2008 03:07 PM

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Hi, Kurt. My summer is going well. Thanks for asking. EPA does not have authority to issue 401 certifications under the CWA or CERCLA. For CERCLA projects that are exempt from obtaining permits/licenses for on-site work, if discharges to surface water will result from the action, EPA analyzes how to comply with state water quality standards, federal recommended AWQCs, what type of water quality monitoring needs to occur, etc. For projects that will occur in surface water, we may prepare a comprehensive document that is intended to document the substantive compliance with state water quality standards and Section 401 of the CWA. Unfortunately, in the past some documents may have been titled 401 certifications, which should not happen so as not to create confusion. I have advised the program to stop that practice. For the T4 project, EPA drafted a Water Quality Monitoring and Compliance Plan.

Let me know if you want to discuss.

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